



# On the docket

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## The Supreme Court kicks off its 2008-09 term on Monday, Oct. 6. Among cases being closely watched by states, listed by date of oral arguments, are:

*Altria Group v. Good*: A test of whether smokers can sue a cigarette manufacturer under Maine law for allegedly deceptive labeling of “light” cigarettes. The manufacturer says federal law pre-empts such lawsuits. Maine and 46 other states — as well as the federal government — have filed briefs supporting state jurisdiction. [Oral arguments Oct. 6.](#)

*Herring v. United States; Arizona v. Gant; Pearson v. Callahan; and Arizona v. Johnson*: A group of challenges to how law enforcers carry out searches involving suspected criminals. *Herring v. United States* and *Arizona v. Gant* – oral arguments Oct. 7; *Pearson v. Callahan* – oral arguments Oct. 14; *Arizona v. Johnson* – oral arguments Dec. 9.

*Bartlett v. Strickland*: A racially charged dispute over legislative redistricting in North Carolina. The justices must decide whether the state was correct in drawing a new voting district to help African-Americans elect a candidate of their choice. The ruling could affect state redistricting plans nationwide after the 2010 census. [Oral arguments Oct. 14.](#)

*Oregon v. Ice*: A lawsuit brought by a convicted child molester in Oregon who claims that the judge in his trial improperly sentenced him by considering facts not determined by the jury and not admitted by the defendant himself. Oregon and other states are asking the court to uphold the sentence. [Oral arguments Oct. 14.](#)

*Carcieri v. Kempthorne*: A showdown between Rhode Island and the federal government over whether the federally recognized Narragansett tribe has rights to 31 acres in Charlestown, R.I., under two federal statutes. The case could have major implications for states with American-Indian populations. [Oral arguments Nov. 3.](#)

*Wyeth v. Levine*: The case of a Vermont woman who claims that a pharmaceutical firm failed to sufficiently warn of dangers from one of its drugs. The woman — whose forearm had to be amputated after a physician’s assistant injected the drug — won a judg-

ment in state court. Wyeth, the drug’s manufacturer, says the lawsuit is invalid because the federal government approved the drug’s label. Vermont and 46 other states support the woman; the Bush administration backs Wyeth. [Oral arguments Nov. 3.](#)

*Ysursa v. Pocatello Education Association*: A First Amendment case that tests whether Idaho can force local governments to limit their employees’ political activities. A federal appeals court upheld the limits as they apply to state employees only. [Oral arguments Nov. 3.](#)

*Van de Kamp v. Goldstein*: A former district attorney of Los Angeles County is seeking immunity from a lawsuit over a wrongful murder conviction obtained by one his deputies. While district attorneys can’t be sued for in-court actions, a federal appeals court ruled that immunity does not apply to out-of-court actions, such as oversight of employees. Every state but New Jersey has joined the case in support of immunity, fearing that state attorneys general could face lawsuits if the justices do not overturn the lower court’s ruling. [Oral arguments Nov. 5.](#)

*Melendez-Diaz v. Massachusetts*: A challenge to the way forensic evidence is presented in criminal trials in Massachusetts and at least 40 other states. The defendant claims that a written report on forensic evidence presented at his trial violates his Sixth Amendment right to confront state forensic experts in person at his trial. [Oral arguments Nov. 10.](#)

*Pleasant Grove City v. Summum*: A clash between religion and government in Utah. The court will decide whether Pleasant Grove City, Utah, can bar a little-known religious group, the Summum, from displaying a monument in a public park where a display of the Ten Commandments already exists. Cities and states around the country have filed briefs in support of the city. [Oral arguments Nov. 12.](#)

*Kansas v. Colorado*: An ongoing feud between Colorado and Kansas over Arkansas River water rights. [Oral arguments Dec. 1.](#)

*Hawaii v. Office of Hawaiian Affairs*: A dispute between Hawaii and native Hawaiians who claim rights to 1.2 million acres under a 1993 act of Congress. Native Hawaiians say the act — a resolution apologizing for the U.S. government’s role in the overthrow of the Hawaiian monarchy 100 years earlier — requires the state to reach a political settlement with them before selling or transferring the land. [No date set for argument.](#)